

### **REMARKS**

Claims 1-26 are pending and stand rejected.

The Office Action rejected all pending claims under 35 USC 101. Applicant contends that the finality of this rejection, and therefore the finality of the Office Action, is improper because the rejection under 35 USC 101 was not explained in the previous office action and was first described in the most recent Office Action. Accordingly, Applicant respectfully requests that the finality of the Office Action be withdrawn.

The Office Action rejected the pending claims under 35 USC 101 on the grounds that “executing a many-rows method to redistribute the one or more rows,” “executing a few-rows redistribution method to redistribute the one or more rows,” and “executing a many-rows redistribution method to redistribute the one or more rows” are abstract and fail to achieve the required status of having real world value. Applicant respectfully disagrees. An example of the many-rows redistribution method is discussed in the specification in Fig. 5 and the accompanying text. Examples of the few-rows redistribution method is discussed in the specification in Figs. 4 and 6 and the accompanying text. Both the few-rows redistribution method and the many-rows redistribution method have one example real world value of redistributing rows from one set of data storage facilities to another set of data storage facilities to process a query. An example of such a real-world application of these methods is provided in paragraphs [0021] – [0024] of the instant application. Applicant respectfully requests that the rejection of the pending claims under 35 USC 101 be withdrawn.

Applicant acknowledges the Office Action’s withdrawal of the rejection of claims 1, 11, 18, and 26 under 35 USC 112, second paragraph.

The Office Action maintains the rejection of the pending claims under 35 USC 102 and 103 over Ross. Applicant respectfully disagrees.

The Office Action argues that Ross’s creation of a number of buffers and storing records in those buffers corresponds to the many-rows method to redistribute the one or more rows, as required in claims 1, 10, and 18. The number of Ross’s buffers “is determined by the total

number and size of the unique selected records to be read from each input table,” Ross, col. 5, lines 13-15, and the size of available main memory. Ross, col. 5, lines 17-20.

The Office Action further argues that Ross suggests “in some cases, tables of data will be very small relative to the amount of main memory” and that “[i]f two relatively small tables are joined together, and if the total size of the records to be read is less than the size of the available memory, only one buffer is allocated and the RAM will not be partitioned.” Office Action at 6. The Office Action equates that circumstance to the steps required in claims 1, 11 and 18. However, Ross does not once in the discussion in columns 5 and 6 mention the possibility of having only a single buffer. If the number of records to be read from the input tables is smaller than available main memory it is more likely that Ross would just skip the buffering step entirely.

That is exactly what happens in the example cited in the Office Action from column 1. In that example, the entire table is read into main memory; no buffering occurs. Ross, col. 1, lines 39-45. Ross teaches away from the claims of the instant application.

Therefore, Ross does not teach or suggest the following limitations required by claims 1, 11, and 18: if the allocated buffer is larger than the one or more rows, storing one or more rows of a database table in the allocated buffer and communicating a message to the one or more destination processing modules, the message comprising at least some of the one or more rows stored in the allocated buffer. Further, Ross does not teach executing a few-rows redistribution method to redistribute the one or more rows, as required by claim 10. Thus, claims 1, 10, 11, and 18 are not anticipated by Ross or obvious in view of Ross. Further, the Office Action does not argue that the missing element is obvious in view of Ross, and, as discussed above, Ross teaches away from the missing element. Therefore, the remaining claims (2-9, 12-17, and 19-26) are patentable over Ross. Applicant respectfully requests that the rejections of claims 1-26 under 35 USC 102 and 103 be withdrawn.

**SUMMARY**

Applicant contends that the claims are in condition for allowance, which action is requested. Applicant does not believe any fees are necessary with the submitting of this response. Should any fees be required, Applicant requests that the fees be debited from deposit account number 14-0225, Order Number 11235.

Respectfully submitted,

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